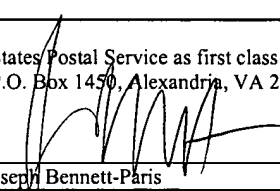


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Robi et al Examiner: TON, Thaian N.
Serial No.: 09/809,018 Group Art Unit: 1632
Filed: March 16, 2001 Docket No.: 60141.0051US01
Title: EMBRYONIC OR STEM-LIKE CELL LINES PRODUCED BY CROSS-SPECIES NUCLEAR TRANSPLANTATION

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 4, 2004.

By: 
Name: Joseph Bennett-Paris

TRANSMITTAL OF SUBSTITUTE RESPONSE IN RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

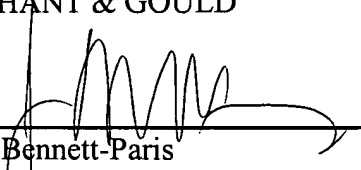
As required in the NOTICE OF NON-COMPLIANT AMENDMENT mailed on December 9, 2003, Applicants submit herewith a compliant Amendment containing a complete listing of all of the claims.

As required, a copy of the NOTICE dated December 9, 2003, is enclosed herewith.

Please charge any additional fees resulting from this action to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD


Joseph Bennett-Paris
Reg. No. 47,226

Date: February 4, 2004

Merchant & Gould, LLC
P.O. Box 2903
Minneapolis, MN 55402-0903
Telephone: 404.954.5100

23552

PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20230
www.uspto.gov

Serial
09/809018

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 11-19-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet 37 CFR 1.72
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

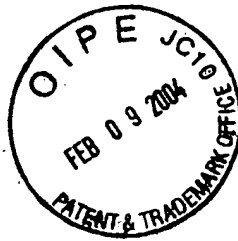
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Legal Instruments Examiner (LIE)

S/N 09/809,018



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Robi et al

Serial No.: 09/809,018

Group Art Unit: 1632

Filed: March 16, 2001

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By: 

Name: Joseph Bennett-Paris

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action mailed July 1, 2003, and the Notice of Non-Compliant Amendment mailed December 9, 2003, the "amendments to the claims" section of Applicant's previously submitted (November 19, 2003) amendment document is re-submitted herewith.

A Request for Extension of Time accompanies this response.